

EXHIBIT III

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CHRISTOPHER GROOMS, et al.,)
)
Plaintiffs,)
) **No. 07 C 6176**
v.) **Chicago, Illinois**
)
DAVID TENCZA, et al.,) **November 29, 2007**
) **9:55 a.m.**
Defendant.)

TRANSCRIPT OF PROCEEDINGS - MOTION

BEFORE THE HONORABLE ELAINE E. BUCKLO

APPEARANCES:

For the Plaintiff: MS. ALLISAH LOVE (pro se)

**PROCEEDINGS RECORDED BY MECHANICAL STENOGRAPHY
TRANSCRIPT PREPARED BY COMPUTER**

**MICHAEL P. SNYDER
Official Reporter
United States District Court
219 South Dearborn Street, Room 1432
Chicago, Illinois 60604
Telephone (312) 435-5563**

1 (Proceedings in open court.)

2 THE COURT: What are you here on?

3 MS. LOVE: I was told that Miss Bucklo is the
4 emergency judge. I just wanted to appear before her on an
5 emergency.

6 THE COURT: Well, nothing is going happen on this
7 today, right?

8 MS. LOVE: Well, no, ma'am. First, I just want to --

9 THE COURT: I don't like to grant essentially
10 injunctions without notice to the other side unless it's really
11 that much of a problem.

12 I suppose we should state the name of this case.
13 What is this, Christopher Grooms, et al., including you --

14 You are?

15 MS. LOVE: Allisah Love.

16 THE COURT: -- Allisah Love, one of the plaintiffs,
17 versus the City of Chicago, various police officers named. And
18 it's a brand new case, I take it. Is there a complaint?

19 MS. LOVE: Yes, there is.

20 THE COURT: 07 C 6176.

21 MS. LOVE: Yes.

22 THE COURT: When did you file your complaint?

23 MS. LOVE: The complaint was filed November 1st,
24 2007.

25 THE COURT: It couldn't have been filed November 1st.

1 The events that you're alleging didn't take place until
2 November 20th.

3 MS. LOVE: The complaint was filed November 1st.

4 THE COURT: Oh, I see, and then there's --

5 MS. LOVE: Another incident occurred after that.

6 THE COURT: Another one after that?

7 MS. LOVE: Yes.

8 And the issue is preservation of tapes, 911 tapes you
9 have to preserve within 30 days. The security tapes at the
10 auto pound that I'm requesting I think there's even a shorter
11 period.

12 And I would prefer that the defendant, the counsel
13 for the defendants are here, but I didn't know when I asked
14 about the judge today not being here, he's not going to return
15 until December 20th, and that will be to the end of the 30-day
16 period. And within that, you know, the other tapes might be
17 recycled or I might not be able to get access to the other
18 things that I'm asking for.

19 THE COURT: Do you have a lawyer?

20 MS. LOVE: No. I'm in the process of securing
21 counsel.

22 And the reason why I went and filed the case pro se
23 was because I was concerned about the preservation; I wanted to
24 make sure that that was done. Judge Anderson already ordered
25 the preservation of the tapes for the first part of the

1 complaint, which occurred on October 23rd.

2 THE COURT: He did?

3 MS. LOVE: He ordered that on November 16th.

4 And then after that on November 20th another incident
5 took place that I need preservation of tapes for as well.

6 I don't know, I really don't know it's appropriate if
7 I could appear before a judge in emergency like next week and
8 notify the other party in time, but I didn't know how to do
9 this.

10 THE COURT: Let me see if I can find this case. Just
11 a minute.

12 (Pause.)

13 THE COURT: All right. I'll grant this.

14 MS. LOVE: Your Honor, it's actually two. One is for
15 preservation of tapes; one is for preservation of hard drives.
16 The hard drive, the security cameras at the auto pound are kept
17 on a hard drive, and also the police reports that are generated
18 are kept on a hard drive.

19 THE COURT: Was any of this in the motion before
20 Judge Anderson?

21 MS. LOVE: Yes, they both are.

22 THE COURT: And he granted those on, for both of
23 these?

24 MS. LOVE: The first one he granted was just for 911
25 tapes. The second one that I did for what happened in the

1 second incident.

2 THE COURT: No, I understand the second incident
3 hasn't, but as far as both the hard drives and the tapes?

4 MS. LOVE: The first one the hard drives were not
5 requested. The second one the hard drives are requested
6 because they involve security cameras.

7 The first incident --

8 THE COURT: Well, how are you going give them notice
9 of this then?

10 MS. LOVE: Notice?

11 THE COURT: The problem with not having them here is
12 it doesn't do me much good to enter an order unless they get
13 notice of it. What are you going do to give them notice.

14 MS. LOVE: I can hand deliver it to the City at
15 their, I think it's 33 North LaSalle.

16 THE COURT: Have they entered an appearance in this
17 case?

18 MS. LOVE: Yes. The City, counsel for the City's
19 name is attorney Seery.

20 THE COURT: Is there an answer on file?

21 MS. LOVE: An answer?

22 THE COURT: Let me just see.

23 All right, they do have an appearance, but that
24 doesn't mean they are going to look at it. There's a complaint
25 filed a few days ago. According to this, the complaint was

1 filed November 15th.

2 MS. LOVE: No, actually the complaint was filed
3 November 1st, and what happened was because it was filed pro
4 se --

5 THE COURT: Oh, right, and he denied your in forma
6 pauperis petition.

7 MS. LOVE: Right.

8 THE COURT: So then it was refiled. Okay. But
9 anyway, they have.

10 All right. I suppose it doesn't hurt. If there's
11 some argument against it, they can come back and argue. All
12 right, we'll grant it.

13 Okay, thank you.

14 MS. LOVE: Thank you, Your Honor.

15 (End of proceedings.)

16

17 C E R T I F I C A T E

18 I, Michael P. Snyder, do hereby certify that the
19 forgoing is a complete true, and accurate transcript of the
20 proceedings had in the above-entitled case before the Honorable
ELAINE E. BUCKLO, one of the judges of said Court, at Chicago,
Illinois, on November 29, 2007.

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22 Official Court Reporter
23 United States District Court
24 Northern District of Illinois
25 Eastern Division

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